Hearings on Religious Persecution in China: Panel 4 Question and Answer

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(Note: These are unedited and uncorrected transcripts

AMBASSADOR SEIPLE: Not a question, but a comment I want to make on it. It seems to me that the issue is not to have a law that guarantees the freedom of belief. The issue in China is that they don't have a law in terms of the freedom of manifestation of that belief. So as soon as you manifest -- I mean this is the problem with Falun Gong. Because they manifest their belief, they had to go back and create another law, so they now have a law to put them in jail. I wasn't quite sure how -- I almost had the sense that you were giving the Chinese their due because they had a legal system that is hardly implemented. I would suggest they have a legal system that doesn't go far enough in terms of the international covenants.

DR. GLADNEY: I would agree with that.

Is this on?

RABBI SAPERSTEIN: No. We'll find out momentarily.

DR. GLADNEY: I would just suggest that the framework is there, and if they follow the framework of the law -- it is really -- a system of rule of law does not exist for issues of official corruption all the way down to treatment of minorities. Again, in terms of the legal framework itself, it's there, and parts of that law have been honored to the extent that we do see minority languages alive and well.

We do see religion -- in some areas of China, Islam's flourishing, but particularly among the Uighurs it is more restricted because it is more

tightly perceived by Chinese officials to be part of a separatist or political movement. Among Hui groups in Gansu and Ningxia, the mosques are overflowing, young Imams are being trained, overall numbers of Hajj pilgrimages are up; people are going privately, they're getting very wealthy, and they're paying their own ways. So, you know, the picture is much more complicated when you begin to look at other Muslim groups in China.

For the Uighur, there is this increasing polarization associated, and therefore, the more specific laws regarding religion -- you're right, absolutely right -- are not adequate to adjust for that.

DR. SIDICK: I agree with most of the ideas that Dr. Gladney pointed out. The historical part, I am not a scholar of that aspect, so I don't know. Some of the books that I read are different from what the doctor said. But recently in the region, I would like to add two things: One is that -- if I had the time to talk a little bit -- I just got some newspaper, a local paper, recently from the region, for example, which says that recently the government has distributed an order saying that religion should be treated exactly as Falun Gong, so it should be completely banned, which is last November. And it is now starting to take effect. Many Uighurs were arrested after that. This new development that treat religion as Falun Gong, completely banned. Okay.

Another thing is that -- the language, it was very well preserved until now, but recently the Chinese government is shifting the policy on that as well. For example, I got my BS degree from Xinjiang University, and Xinjiang University has excellent teacher teams that can teach in Uighur. It is such an asset to the Chinese government that they have people who can teach in Uighur. The books are in Chinese, but the class was given in Uighur when I was starting.

Recently they are changing this completely. Now they've started to teach the class in Chinese. The teachers who are not able to teach in Chinese are fired. This is happening right now. So they are shifting this also.

Another thing that I want to add is for Chinese, there's a problem of eliminating the religion. For minorities like Uighurs, they have a problem of eliminating the minorities completely. The Chinese government's aim is not only to eliminate the religion, but to eliminate the minorities as well. That's what's happening in the region. The Islam, the religion, has always been an obstacle for that aim.

For example, the official Chinese government will say that there are 56 minorities in China, but most of them are gone. They are assimilated; they don't exist anymore. The ones who do not have any religion at all, they're gone; they are assimilated. Right now Uighurs and the Tibetans, you can distinguish them as a people, but others are all gone. And now the Chinese government has a plan to assimilate these people as well. And that's what I want to add.

DR. AL-MARAYATI: I have a couple of questions. First, with this issue of the status outside of Xinjiang -- you talk about them flourishing. Is that within the officially recognized structure or does that also include those who do not officially register with the government, as we see in the underground church movements? Have there been problems with those groups that are not sort of toeing the official line in those regions, even though the official groups seem to be flourishing? That's my first question to you.

DR. GLADNEY: Yes, both. You find widespread religious activism and development among other Muslim groups in China. Particularly Shiism has been very strong, and also what is being described as Wahhabi or Wahhabists. This is basically Islamic revivalism in China based on pilgrimages to the Middle East. To the extent that there are widespread Muslim preachers who go from one mosque to another, some of whom are funded by the government, who were sent on Hajj. There is this issue -- very similar in Christianity -- between the official churches that are strongly supported by the government, where they toe the line, and then the unofficial ones.

It really depends on the regions. Interestingly enough, in Xinjiang Uighur Autonomous Region, and in Ningxia Hui Autonomous Region, you find stricter policies toward Islam than in the non-autonomous regions, such as Qinghai, Gansu, Yunnan and other places, where the government may not be under as much pressure, the local officials, to toe the line.

To the extent that in -- for example, a few years ago they had a law that only one mosque could have two students of Islam, and they had to have graduated from junior high school, 12 years old and older. Well, that was maintaining the Ningxia in the late '80s when I was doing research there; but if you cross the border, there were mosques with about 150 of these kids, many of them underage, and no one was paying attention to that.

Shiism, Central Asia Shiism, is growing in China. There is widespread participation of these people in travel to the Middle East and to other civic centers. There are complexes that are

growing to the extent so large that you have a large number of Islamic tourists from abroad and throughout China who visit these mosques and structures. So I think to the extent that these activities are not regarded as politically separatist, they are flourishing.

MR. ZHANG: I would like to ask on -- I agree with -- totally with Commissioner Seiple in terms of -- for the rule of law. In fact, China is pushing a policy on religion by abusing the law. Let me give you an example. The crackdown, the anti-cult law which was rushed through the Chinese legislature on October 30, 1999, that took place five days after Chinese President Jiang Zemin had already been quoted by a French newspaper as labeling Falun Gong a cult. And also that took place three months after the government launched its crackdown on Falun Gong.

Also, I can quote from the Washington Post. "When they found themselves without laws they needed to vigorously persecute a peaceful meditation society, the Party simply ordered up some new laws." And that's exactly what happened. And this comes back to the international covenants, these treaties the Chinese government has signed, and it relates the internal matter that China accused the International Society of interfering with Chinese internal affairs. And because China is a member of the United Nations, and China has signed the Universal Declaration of Human Rights, it also signed the International Covenant on Civil and Political Rights and the International Covenant of Economic and Social and Cultural Rights -- so if China considers itself a member of the International Society, then it should comply with the international standard of laws, in terms of human rights and otherwise.

COMMISSIONER ABRAMS: Professor Kazemzadeh.

DR. KAZEMZADEH: In the Soviet Union there was a distinction made in the national and religious policy between the State and the Party, and while the constitution of December 5, 1936 proclaimed that religion is free, there was a clause saying, "if it is in the interest of the working people of the Soviet Union," and another clause said "It is the Party that determines the interest." And the Party clearly stated that religion is against the Party. So while it states that religion could exist, in effect, the government was a tool of the Party policy of ultimately destroying religion. Is this the case with the Chinese setup between the State and the Party?

DR. GLADNEY: It is not spelled out that way in the constitution, as you can see. Clearly in practice it often works itself out that way, particularly in more radical periods, particularly during the Cultural Revolution, when religion or any so-called feudal custom or backward custom was regarded as a threat to the state.

I think we have to look at these practices as very much related to the Chinese government's own stability. I think particularly in the mid '80s, we saw a much more -- until 1989, the Tiananmen uprising, we saw a much more open attitude toward religion, that it was not a threat to the Party or to State sovereignty. And indeed, many have written about the practice of the Imams, who are Party members who were involved with the mosques, or religious government officials who openly worshiped in public.

However, there has been recently, because of lack of stability in the government, a greater crackdown on those kinds of activities. And as our guest said, a recent law that says if you are a member of the Party, you cannot be seen in a mosque. So it is not enunciated as clearly in China today.

I think what we are seeing also is the effect of globalization in the market. The government had more control over a lot of these private activities when most of society was under its rule in terms of jobs, in terms of positions, and access to outside resources. Now, under the more increasing market economy, decentralized economy, people are finding other options.

For example, in one of the villages I lived in, the party chairman while I was there was a former Imam, and he left the mosque to become the party chairman of the village. Since then, I understand, he has left the Party and he has become a very well-off businessman. So you can see the kind of transition, wearing three hats, depending on the circumstances.

COMMISSIONER ABRAMS: Judge.

JUSTICE SMITH: This is directly to Mr. Zhang. As the title of our Commission indicates, we are concerned with international religious freedom. The Washington Post says Falun Gong's a meditation society. The Chinese government says Falun Gong is a cult. Where does the truth lie with respect to the identity of the Falun Gong, and how does it fit in with the concept of religion about which our Commission should be greatly concerned?

MR. ZHANG: Thank you, Justice Smith, and I am very pleased that you raised that question. Falun Gong is a formalistic

religion because we don't have church rituals or institutions, yet we are based on the traditional Daoism. We have strong spiritual beliefs and choose compassion and tolerance, the universal principles of all mankind, and the fact of the universe. And we strongly believe that by practicing truth, compassion, and tolerance, we can become one and become spiritually enlightened, very much in the same way that people do in the great religions of the world.

So we identify ourselves as spiritual and very religious about our beliefs, although we don't have the religious church or temples or institutions and rituals. We also cultivate our mind, soul, and our spirit and our heart as Christians and all great religions do.

Thank you.

DR. AL-MARAYATI: I have another question also for our guest visiting from Central Asia.

Would you say that the activism among the Uighur population is less out of the fear generated from the 1997 crackdown, and so there seems to be less activity in term of arrests or executions on the part of the government, or have things been getting worse over the past two years, considering that we don't have good information because the region is closed? I would just like to know how the situation has changed over the past two years since the initial -- or that severe crackdown in February of 1997.

UIGHUR WITNESS: People are becoming more and more quieter because the Chinese are extremely harsh on the persecution right now. The slogan is "The State is Number 1," so anything that affects the stability of the state would be punished very hard. So that's what's going on, and the people gradually are becoming more quieter.

DR. AL-MARAYATI: So they're increasing arrests and detentions and so forth. We've read about executions in terms of separatism, but what other kinds of activities are occurring?

UIGHUR WITNESS: They have ordered that they should separate anything, so it's the people getting very hard punishment and they are getting quiet.

DR. GLADNEY: Maybe I can add the case of Rebiya Kadir, which is also spelled out in my paper. Our guest mentions a good example of this, too. We have a businesswoman who was widely touted in China, and the Chinese press says one of the leading businesswomen and minority women who has now been sentenced as of three days ago to eight years in prison. She had been detained for over a year without a trial, and a private, secret trial has been -- really without any serious representation for trying -- for attempting to meet with the U.S. Congressional Research Service Commission, and they never did meet with her.

Now, let me just also mention this question of increasing activism. I think it is very hard to gauge. First of all, we have a large variety of exile communities in different countries, very active in Europe, here in the United States, in New York, in D.C. A Uighur friend of mine from Beijing was visiting the United States recently and did not want to go to New York because he was afraid to be associated with that group and wanted to go back to China. It's so well-known.

None of these groups seem to agree on what they want. The largest Uighur group in Washington D.C., the president -- I quote him in my paper, Mr. Yusuf says he does not want independence, modeling himself after the Dalai Lama statement. Other groups want complete independence.

I think what we saw in the late '90s -- in the mid-to-late '90s a growing euphoria and a hope for Uighur independence of the '91 Soviet model. After the '97 crackdown and the changes in the agreements in '96 and the agreements with the strong borders with China and Central Asia -- border agreements in the Shanghai Five, there was a great disappointment and a real feeling of rebelliousness. Since '97 and the increasing crackdowns and the really flooding of the area with military and an enormous network of security apparatus, there has been a great deal of despair in the region, and people are basically leaving or trying to do other things.

But the other point is that there is no way to gauge widespread Uighur opinion. We are dealing with eight million people. My feeling to the Tibet issue is we have a fairly unified Tibetan view about independence. Among the Uighurs, I don't think you have that. Many of them are well aware of what took place in the region during the '30's and '40's of civil war. There were mosque pogroms among Muslims, between Han Muslims. There were nationalist communist, political infighting. Now they are very aware of post-independence Central Asian states, such as Tajikistan, the civil war there, also the terrible economies in places like Turkmenistan, problems in Kyrgyzstan, also the sort of one-party state rule in Kazakstan; they're very aware of that. They are aware of that. So independence for Xinjiang may not be the

alternative that many of them would choose.

The question then becomes what are the alternatives? And there you have as wide of a variety of opinion among leaders that I spoken with in Xinjiang as outside of Xinjiang. But nevertheless, I think increasing polarization, disenchantment, frustration for the Chinese government's policy in the region.

RABBI SAPERSTEIN: We need to bring this panel to a close shortly to get to a very important final panel as well. This has been fascinating. We said that we would entertain questions from the audience only in written form. I am going to use a prerogative of the chair to make a brief exception to that. Our friend, Harry Wu, had asked if he could make a brief comment.

I need to ask you, timewise, to keep it brief, but please come to the microphone.

MR. WU: Mr. Chairman, I thank you so much for this chance to talk. I think there's a kind of dangerous direction that today in American academic society talking about Chinese Constitution and Chinese law. For example, we're talking about market economy system, market economy, but Chinese prime minister makes it very clear. We're talking a market economy that is different from yours. We have another term, "Socialist market economy." But the American academic is trying to dismiss the Socialist term so they can say, "See, they're implementing the market economy, same as us."

Now, the people are talking about -- in their constitution you have freedom of speech, freedom of press, freedom of moving, freedom of association. You see, everything is over there. The problem is only trying to enforce law or implement the law; because of the corruption, because China is such a big country, so many different areas. So let's go back to the Chinese Constitution. But we forget one thing.

At the beginning of the constitution there is a very important paragraph. They would make it very clear that China, the People's Republic of China, is under the communist leadership. And Marxism, Leninism is a guideline principle. And in this country it is a people's dictatorship country, and this country is set up by peasants and workers. That is the major concern here. Whatever you're trying to explain, freedom of speech, freedom of association, freedom of the press, under that is the principles that have a different meaning. So if we talk too much about -- well, whatever, their law, their constitution, their articles, I think they will play a

role in misleading people. Thank you.

RABBI SAPERSTEIN: Let me ask one last question, if I may. I want to address it to Professor Gladney.

And also if you could perhaps translate for our guest, I would like to have his view, too.

You made the statement toward the beginning that there isn't oppression, per se, of Islam. Then you talked about, but in fact, you have some of the same differences between the formal mosque community -- the community of mosques and the leaders who are willing to work with the government and abide by the rules, which are similar to those for the official churches on here; that requires, for example, talking about the unity of the state and talking about the political ideas as part of the religious life, and the implication being that for those who are not willing to abide by that, things are far more difficult.

In the human rights report, certainly in Amnesty International's report, the State Department's report, there are a lot of examples of where the impact on Muslim life has been greatly impacted even directly or de facto, perhaps pursuing other goals, but people aren't able to live out their religious lives.

Do I understand you correctly that the end effect, whether de facto or de jure, against the unrecognized efforts to express Muslim faith without the required integration with what the state imposes politically on them, that one way or the other, there really is an impact in the ability of many Muslims to live out their lives as Muslims, their Muslim lives, their religious lives?

DR. GLADNEY: I think, again, it's hard to generalize when you have 20 million Muslims, divided by 10 different nationalities, spread throughout a very large country, and different groups have a very different experience. I think the Uighur are at the one extreme, where politics and religion are very much united in the Chinese official's mind and Islam is regarded as a threat.

Among other communities, however, at the other extreme you'll find Islam and Islamic life flourishing; you find mosques being built, you find people going on the Hajj, you find Muslims becoming wealthy through participation in business, private businesses through the market

economy; through using their connections with the Middle East, rising rapidly in the government.

The Number 2 chairman of the People's Government in Ningxia, when I lived there, was Sushi Shake (phonetic), a Saint, who was very anti-communist in his personal views, but was sent by the government on friendship delegations to the Middle East. And there's been an increasing effort by the foreign ministry in China to make use of the Muslims in its foreign policy. So you do see a wide spectrum, and I don't think we can generalize easily that there's a widespread problem.

RABBI SAPERSTEIN: I understand you a little more clearly now.

Now to our guest, is the end result of the policies, difficulty for Uighur Muslims to live out their religious life as they want?

DR. SIDICK: Yes, and the result is exactly the same.

RABBI SAPERSTEIN: Dr. Sidick, that is also the view -- you're speaking for our guest here?

DR. SIDICK: That is right, yes.

RABBI SAPERSTEIN: As we draw to a close, Mr. Zhang, the entire world is watching carefully what is happening in your country. We appreciate very much your being here with us today as well. Thank you.

MR. ZHANG: Thank you.

RABBI SAPERSTEIN: We're going to move expeditiously, if people have the strength to go ahead without a break. I'd like to move to our final panel, if we may.

Dr. Gladney, and our guests, again, thank you for your courage coming here.